

RCE 1283
 - J. L.
 #11/RCE/MA
 10-21-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Lambert DANNER et al
 Title: SPECTRAL ELLIPSOMETER HAVING A REFRACTIVE ILLUMINATING OPTICAL SYSTEM
 Appl. No.: 09/893,709
 Appl. Filing Date: 06/29/2001
 Examiner: S. Sugarman
 Art Unit: 2873

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
 Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:** (check items that apply)

a. Previously submitted:

- Please enter and consider the amendment/reply previously filed on ____.
- Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.
- Other ____.

b. Enclosed are:

/07/2003 EFLORES 00000047 09893709

FC:1801
 FC:1460

750.00 0P
 130.00 0P

Match and Return

Affidavit(s)/Declaration(s).

Information Disclosure Statement.

Form PTO/SB/08 with copies of 34 listed reference(s).

Other .

Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)			\$750.00	\$750.00
Total Claims: <u>9</u>	X <u>20</u>	= <u>0</u>	x \$18.00 =	\$0.00
Independents: <u>1</u>	X <u>3</u>	= <u>0</u>	x \$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$280.00 =	\$0.00
			CLAIMS FEE TOTAL: =	\$750.00

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$1,970.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:	\$750.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)		\$130.00
	TOTAL FEE:	\$880.00

Please charge Deposit Account No. 19-0741 in the amount of \$880.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$880.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By _____



Date: August 6, 2003

Glenn Law
Attorney for Applicant
Registration No. 34,371

FOLEY & LARDNER
Customer Number: 22428



22428
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